

PATENT

Attorney Docket No. 2489.0028-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)	
U.S. Patent No. 5,364,866)	
Joseph T. STRUPCZEWSKI et al.)	Group Art Unit: Unassigned
Reissue Serial No.: Unassigned)	Examiner: Unassigned
Filed: Herewith)	
For: HETEROARYLPIPERIDINES,)	
PYRROLIDINES AND PIPERAZINES AND)	
THEIR USE AS ANTIPSYCHOTICS)	
AND ANALGETICS)	

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175

We, Joseph T. Strupczewski, Grover C. Helsley, Yulin Chiang, Kenneth J. Bordeau, and Edward J. Glamkowski,, all citizens of the United States with residences and post office addresses as listed below, do hereby state and declare as follows:

1. We believe we are the original joint inventors of the subject matter which is described and claimed in United States Patent No. 5,364,866, granted on November 15, 1994, and for which a reissue patent is sought on the invention entitled, "Heteroaryl piperidines, Pyrrolidines and Piperazines and Their Use as Antipsychotics and Analgetics."

**Reissue Application of
Patent No. 5,364,866
Atty. Docket No. 2489.0028-11**

2. We hereby state that we have reviewed and understand the contents of the above-identified specification, including the original patent claims, and the claims in the Preliminary Amendment filed herewith.

3. We acknowledge the duty to disclose information that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

4. We believe that U.S. Patent No. 5,364,866 is at least partially inoperative or invalid because, without any deceptive intention, we claimed more or less than we had the right to claim in the patent.

5. An error which is a statutory basis for reissue is that at least some of the patent claims cover subject matter described in European Patent Application No. 402,644 (EP '644) published December 19, 1990. Applicants are filing this Reissue Application in order to overcome this reference.

6. The above-described error and all other errors corrected in this reissue application arose without any deceptive intent.

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

**Reissue Application of
Patent No. 5,364,866
Atty. Docket No. 2489.0028-11**

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor Joseph T. Strupczewski	Inventor's Signature <i>Joseph T. Strupczewski</i>	Date <i>September 8, 2000</i>
Residence		Citizenship USA
Post Office Address		
Full Name of Second Inventor Grover C. Helsley	Inventor's Signature <i>Grover C. Helsley</i>	Date <i>2-4-2000</i>
Residence		Citizenship USA
Post Office Address		
Full Name of Third Inventor Yulin Chiang	Inventor's Signature <i>Yulin Chiang</i>	Date <i>4/29/2000</i>
Residence		Citizenship USA
Post Office Address		
Full Name of Fourth Inventor Kenneth J. Bordeaux	Inventor's Signature <i>Kenneth J. Bordeaux</i>	Date <i>4/19/2000</i>
Residence		Citizenship USA
Post Office Address		
Full Name of Fifth Inventor Edward J. Glamkowski	Inventor's Signature <i>Edward J. Glamkowski</i>	Date <i>Feb. 14, 2000</i>
Residence		Citizenship USA
Post Office Address		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)	
U.S. Patent No. 5,364,866)	
Joseph T. STRUPCZEWSKI et al.)	Group Art Unit: Unassigned
Reissue Serial No.: Unassigned)	Examiner: Unassigned
Filed: Herewith)	
For: HETEROARYLPIPERIDINES,)	
PYRROLIDINES AND PIPERAZINES AND)	
THEIR USE AS ANTIPSYCHOTICS)	
AND ANALGETICS)	

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**POWER OF ATTORNEY
AND STATEMENT UNDER 37 C.F.R. § 3.73(b)**

U.S. Patent No. 5,364,866 is assigned to Aventis Pharmaceuticals Inc. as assignee of the entire right, title and interest in said patent by virtue of an assignment recorded at Reel 6437, Frame 0333, and by virtue of a merger agreement recorded on December 14, 1999, at Reel 10452, Frame 0703, and further by virtue of a change of name document recorded on February 8, 2000, at Reel 10567, Frame 0944.

Aventis Pharmaceuticals Inc. hereby appoints as attorney at least one of the following, both jointly and separately, as their attorneys with full power of substitution and revocation to prosecute this application for reissue, to receive the reissued Letters Patent, and to transact all business in the Patent and Trademark Office connected therewith: Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald

Reissue Application of
Patent No. 5,364,866
Atty. Docket No. 2489.0028-11

R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; Roger D. Taylor, Reg. No. 28,992; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045;

Reissue Application
Patent No. 5,364,866
Atty. Docket No. 2489.0028-11

Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; and James B. Monroe, Reg. No. 33,971; and Lara C. Kelley, Reg. No. 41,551. Please send all future correspondence concerning this application to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. at the following address:

**Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005-3315**

The undersigned, whose title is supplied below, is empowered to sign on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 21, 2000

Date


Signature

Stephen L. Nesbitt
Printed or Typed Name

Professional Development and Licensing Support
Title

PATENT

Attorney Docket No. 2489.0028-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)	
U.S. Patent No. 5,364,866)	
Joseph T. STRUPCZEWSKI et al.)	Group Art Unit: Unassigned
Reissue Serial No.: Unassigned)	Examiner: Unassigned
Filed: Herewith)	
For: HETEROARYLPIPERIDINES,)	
PYRROLIDINES AND PIPERAZINES AND)	
THEIR USE AS ANTIPSYCHOTICS)	
AND ANALGETICS)	

BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**CONSENT OF ASSIGNEE, OFFER TO SURRENDER
ORIGINAL PATENT, AND STATEMENT UNDER 37 C.F.R. § 3.73(b)**

U.S. Patent No. 5,364,866 is assigned to Aventis Pharmaceuticals Inc. as assignee of the entire right, title and interest in said patent by virtue of an assignment recorded at Reel 6437, Frame 0333, by virtue of a merger agreement recorded on December 14, 1999, at Reel 10452, Frame 0703, and further by virtue of a change of name document recorded on February 8, 2000, at Reel 10567, Frame 0944.

Aventis Pharmaceuticals Inc. hereby consents to the accompanying application for reissue of U.S. Patent 5,364,866.

Aventis Pharmaceuticals Inc. hereby offers to surrender U.S. Patent 5,364,866, when the reissue application is otherwise in condition for allowance.

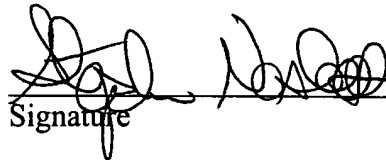
**Reissue Application of
Patent No. 5,364,866
Atty. Docket No. 2489.0028-11**

The undersigned, whose title is supplied below, is empowered to sign this document on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 21, 2000

Date


Signature

Stephen L. Nesbitt

Typed or printed name

Professional Development and Licensing Support
Title